

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re: Shirley Louise Locke : Case No. 13-54832
: Chapter 13
: Judge Charles M. Caldwell

MOTION TO APPROVE LOAN MODIFICATION

Now comes the Debtor, Shirley Louise Locke, and requests the court to approve the terms of the attached loan modification as stated in the following memorandum in support.

MEMORANDUM IN SUPPORT

1. The debtor(s) filed the case on 06/14/2013
2. This is an above median income case.
3. The mortgage creditor affected by the loan modification is
Wells Fargo Home Mortgage
4. The mortgage is currently paid through the Trustee.
The treatment will not be changed by this modification.
5. The mortgage balance owed on the date of filing was \$223,109.09
6. The current mortgage payment is \$1,898.36 and the current interest rate is 4.75%
7. The trial payment period of 3 payments of \$1,844.93 shall begin/began 09/01/2015
8. The modification, effective 01/01/2016 changes the mortgage payment to \$1,789.05 starting 01/01/2016. The new mortgage interest rate is 4.75% The new mortgage interest rate is fixed.
9. The pre-petition arrearage shall be:
 - ☐ due as a balloon payment at the maturity of the loan with interest accruing on said arrearage at the rate of _____
 - ☒ re-amortized in the loan in full.
 - ☐ re-amortized in the loan at the reduced amount of _____
 - ☐ reduced to the amount of _____ and due as a balloon payment at the maturity of the loan with interest accruing at the rate of _____
 - ☐ eliminated
 - ☐ other (please explain)

10. The post-petition arrearage, if any, shall be:

- ☐ due as a balloon payment at the maturity of the loan with interest accruing on said arrearage at the rate of _____
- ☒ re-amortized in the loan in full.
- ☐ re-amortized in the loan at the reduced amount of _____
- ☐ reduced to the amount of _____ and due as a balloon payment at the maturity of the loan with interest accruing at the rate of _____
- ☐ eliminated
- ☐ other (please explain)

11. The new mortgage payment includes: Real Estate Taxes: Yes

Insurance: Yes

12. The modified principal balance of the loan is \$223,460.04. The new maturity date is 01/01/2056

13. If the Chapter 13 Plan needs to be modified, then the debtors' counsel shall file the appropriate separate motion within 60 days from the date of Order approving this Modification Agreement.

Wherefore, the Debtor(s) request the court to approve the attached Loan Modification Agreement and Trial Payments.

Respectfully submitted,

/s/ W. Mark Jump
W. Mark Jump (0062837)
Attorney for Debtor
2130 Arlington Ave.
Columbus, Ohio 43221
(614) 481-4480 Telephone

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CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2016, a copy of the foregoing Motion to Approve Loan Modification was served on the following registered ECF participants, **electronically** through the court's ECF System at the email address registered with the court:

US Trustee
Frank M. Pees

Colin Beach, counsel for Kemba Financial Credit Union
Beth Ann Schenz, counsel for Huntington National Bank
Mia L. Conner, counsel for Wells Fargo Bank, NA
Katherine Barrett Brewer, counsel for Debtor
Brian D. Wood, counsel for Debtor
W. Mark Jump, counsel for Debtor

and on the following by **ordinary U.S. Mail** addressed to:

Shirley Louise Locke
1527 Bent Maple Drive
Blacklick, Ohio 43004

Wells Fargo Bank, NA
Attn: Bankruptcy Department
3476 Stateview Boulevard
MAC DD347-014
Fort Mill, SC 29715-7203

Wells Fargo Bank, NA
8480 Statecoach Circle
Frederick, MD 21701

Wells Fargo Bank, N.A.
Payment Processing
MAC#X2302-04C, One Home Campus
Des Moines, IA 50328

Wells Fargo Home Mortgage
PO Box 14547
Des Moines, IA 50306-4547

1200 West 7th Street
Los Angeles, CA 90017

/s/ W. Mark Jump
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NOTICE OF MOTION TO APPROVE LOAN MODIFICATION

Shirley Louise Locke has filed papers with the court asking the court to approve a loan modification.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult with one.

If you do not want the court to grant the relief sought in the motion, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk, U.S. Bankruptcy Court, 170 N. High Street, Columbus, OH 43215 OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or 2) regular U.S. Mail to:

Frank M. Pees
Chapter 13 Trustee
130 E. Wilson Bridge Road, #200
Worthington, Ohio 43085

United States Trustee
170 N. High Street, #200
Columbus, Ohio 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

/s/ W. Mark Jump
W. Mark Jump (0062837)
Attorney for Debtor
2130 Arlington Ave.
Columbus, Ohio 43221
(614) 481-4480 Telephone

